

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

MUR 5511: Swift Boat Vets and POWs) MUR 5511 and 5525
for Truth and Weymouth Symmes; MUR)
5525: Swift Boat Vets and POWs for)
Truth; Bush-Cheney '04, Inc. and David)
Herndon, in his official capacity as)
treasurer; Alachua County Republican)
Party; Republican National Committee)
and Mike Retzner, in his official capacity)
as treasurer; George W. Bush, Dick)
Cheney, and Karl Rove; Kenneth)
Cordier; Harlan Crow; William Franke;)
Roy Hoffman; Alvin Horne; Bill)
Lannom; John O'Neil; Bob Perry;)
Charles Plumly; Merrie Spaeth; and)
Weymouth Symmes.

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on February 17, 2005, the Commission decided by a vote of 5-0 to take
the following actions in:

MUR 5511:

1. Find reason to believe that Swift Boat Vets and POWs for Truth violated 2 U.S.C. §§ 433, 434, 441a(f), and 441b(a) by failing to register as a political committee with the Commission; by failing to report its contributions and expenditures; by knowingly accepting contributions in excess of \$5,000; and by knowingly accepting corporate and/or union contributions.

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2. Approve the factual and legal analysis, as recommended in the First General Counsel's Report dated February 4, 2005.
- 3.
4. Approve the appropriate letters.

MUR 5525:

1. Find reason to believe that Swift Boat Vets and POWs for Truth violated 2 U.S.C. §§ 433, 434, 441a(f), and 441b(a) by failing to register as a political committee with the Commission; by failing to report its contributions and expenditures; by knowingly accepting contributions in excess of \$5,000; and by knowingly accepting corporate and/or union contribution.
2. Find reason to believe that Swift Boat Vets and POWs for Truth violated 2 U.S.C. §§ 441a and 434 by making and failing to report excessive contributions, in the form of coordinated expenditures, to Bush-Cheney '04.
3. Find reason to believe that Bush-Cheney '04, Inc. and David Herndon, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f) and 434 by accepting and failing to report excessive and prohibited in-kind contributions.
4. Take no action at this time against the Alachua County Republican Party.
5. Take no action at this time against the Republican National Committee and Mike Retzner, in his official capacity as treasurer, George W. Bush, Dick Cheney, and Karl Rove.
6. Take no action at this time against Kenneth Cordier; Harlan Crow; William Franke; Roy Hoffman; Alvin Horne; Bill Lannon; John O'Neil; Bob Perry; Charles Plumly; Weymouth Symmes; and Merrie Spaeth.

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7. Approve the factual and legal analyses, as recommended in the First General Counsel's Report dated February 4, 2005.
- 8.
9. Approve the appropriate letters.

Commissioners Mason, McDonald, Thomas, Toner, and Weintraub voted affirmatively for the decision. Commissioner Smith recused himself with respect to this matter and did vote.

Attest:

February 18, 2005
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission

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